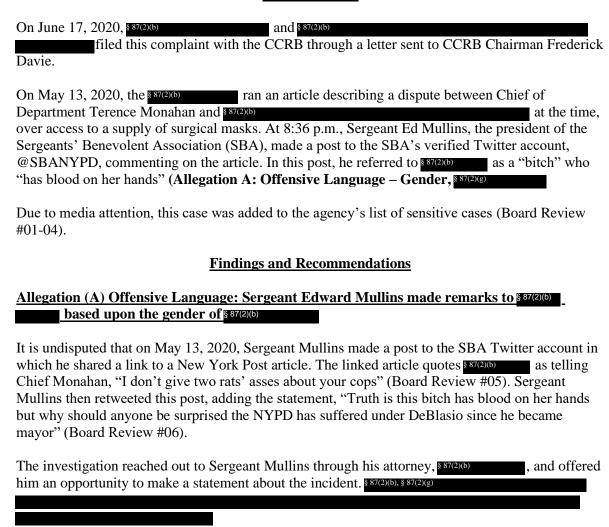
CCRB INVESTIGATIVE RECOMMENDATION

Investigator:		Team:	CCRB Case #:	☐ Force	☐ Discourt.	\square U.S.
Owen Godshall		Squad #15	202004437	☐ Abuse	☑ O.L.	☐ Injury
Incident Date(s)		Location of Incident:		Precinct:	18 Mo. SOL	EO SOL
Wednesday, 05/13/2020 8:36 PM		Twitter Post			11/13/2021	5/4/2022
Date/Time CV Reported		CV Reported At:	How CV Reported:	Date/Time	Received at CCI	RB
Wed, 06/17/2020 9:22 AM		CCRB	Mail	Mon, 06/2	2/2020 9:22 AM	I
Complainant/Victim	Type	Home Addre	ess			
Subject Officer(s)	Shield	TaxID	Command			
1. SGT Edward Mullins	01771	876768	DBBS OP			
Officer(s)	Allegatio	on		Inve	estigator Recon	nmendation
A.SGT Edward Mullins	Off. Lang § 87(2)(b)	guage: Sergeant Edward		rks to		

Case Summary



While Sergeant Mullins is the head of the SBA, he is still an active member of the NYPD. He receives an NYPD salary separate from any SBA salary (Board Review #07-08). He is therefore is still subject to the rules and regulations of the Patrol Guide as any other member of the service.

Statements made by public officials involving matters of public concern are accorded First Amendment protections, but these protections are balanced against their government employer's interest in providing public services in an effective manner. <u>Pickering v. Board of Education</u>, 391 U.S. 563 (1968) (Board Review #09).

The effectiveness of a police department depends upon the respect and trust of the community it serves. If a police department treats segments of the community with disrespect based on aspects of their identity, such as their race, religion, gender or sexual orientation, this behavior erodes the relationship of trust and impairs the department's ability to serve the community. Since racist, homophobic or misogynistic statements made by individual officers may harm relations between the police department and the community, these statements are subject to disciplinary actions by the department. Locurto v. Giuliani, 447 F.3d 159, 183 (2d Cir., 2006). Pappas v. Giuliani, 290 F.3d 143 (2d Cir., 2002) (Board Review #10-11).

NYPD Patrol Guide procedure 200-02 states that the Department is committed to accomplishing its mission of protecting the lives and property of all citizens of New York City by treating every citizen with compassion, courtesy, professionalism and respect. Officers are expected to maintain a higher standard of integrity than is generally expected of others, respect the dignity of each individual and render services with courtesy and civility (Board Review #12).

<u>NYPD Patrol Guide</u> procedure 203-10 states that officers are prohibited from using discourteous or disrespectful remarks regarding another person's ethnicity, race, religion, gender, gender identity/expression, sexual orientation or disability (Board Review #13).

The term "bitch" is an offensive word based on gender, which officers are not permitted to use. Sergeant Mullins' use of this term towards in social media violates this prohibition and fails to live up to the expectations that officers are held to. Sergeant Mullins' statement is of public concern because his public use of derogatory and sexist language damages the relationship between the NYPD and the community, thereby reducing the NYPD's ability to effectively provide services to the public. §87(2)(9)

Civilian and Officer CCRB Histories

•	This is the first CCRB complaint to which Dr. \$87(2)(b) or Councilman \$87(2)(b)	has	been a
	party (Board Review #14).	_	



 Sergeant Mullins has been a member of the service for 38 years and has been listed as a subject officer in three previous CCRB complaints and three allegations, none of which were substantiated.

Mediation, Civil and Criminal Histories

- This complaint was not eligible for mediation.
- A Notice of Claim request was submitted to the NYC Office of the Comptroller on September 30, 2020. The results will be included in the case file upon receipt.

•	§ 87(2)(b)

Squad No.:	15		
Investigator:	Owen Godshall Signature	Inv. Owen Godshall Print Title & Name	10/21/2020 Date
Squad Leader:	Simon Wang Signature	IM Simon Wang Print Title & Name	01/13/2021 Date
Reviewer:	Signature	Print Title & Name	 Date